



Office of the Attorney General  
State of Texas

May 14, 1992

DAN MORALES  
ATTORNEY GENERAL

Mr. Todd K. Brown  
Acting Executive Director  
Texas Workers' Compensation Commission  
Southfield Building  
4000 South IH-35  
Austin, Texas 78704

OR92-228

Dear Mr. Brown:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 15147.

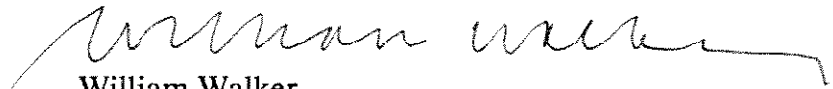
The information at issue is contained in documents filed with the Workers Compensation Commission in connection with the "job safety information system" provided for by V.T.C.S. article 8708-7.03, which requires employers to file with the commission reports on employees' on-the-job injuries. The reports are filed on forms promulgated by the commission containing specific information provided for by the above-mentioned statute as well as other information deemed useful by the commission. Subpart (d) of article 8308-7.03 provides that the "identity of the employee is confidential and may not be disclosed as part of the job information system."

You assert that under subpart (d) in connection with section 3(a)(1) of the Open Records Act, which requires non-disclosure of information made confidential by statutory law, the commission must withhold from public disclosure not only the names of employees contained on the reporting forms, but also other information which tends to identify such employees, to wit: the employer's name, federal employer ID number, mailing address, and telephone number, as well as the employer representative's name and telephone number and the location of the incident. We agree that disclosure of such information could well tend to identify the subject employee in violation of subpart (d) of article 8308-7.03. See Open

Records Decision No. 540 (1990) and authorities cited there. Therefore, you should withhold such information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-228.

Yours very truly,



William Walker  
Assistant Attorney General  
Opinion Committee

WW/lmm/jms

Ref.: ID# 15147

Enclosure: Open Records Decision No. 540

cc: Mr. Steven Bent  
Executive Director  
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